



## "SPECIAL EXCEPTION" REQUEST APPLICATION REQUIREMENTS

*Sandy City Community Development Department  
10000 Centennial Parkway, Sandy, UT 84070,  
TEL# (801) 568-7250, FAX# (801) 568-7278*

### Types of Special Exceptions

The Board may hear and decide special exceptions to the terms of the Sandy City Development Code. The City Council has provided by ordinance a limited number of special exceptions that the Board can consider. They are:

- h** Authorize the alteration, movement or enlargement of or addition to a building or structure or sign occupied by a nonconforming use.
- h** Permit the building on a nonconforming lot (after making findings that the lot is a legal lot)
- h** Allow the division of a very large lot into two lots (lot must be at least 1-1/2 times as wide and 1-1/2 times as large in area as required for a lot in that zoning district)
- h** Modify a Nonconforming Signs to allow the retention, alteration, movement, or expansion of a nonconforming sign

### Application Requirements

Complete the required application form for the Board of Adjustment. In preparing your application, including answering the questions on the reverse side of this sheet. Be as detailed and specific as possible. Incomplete or inadequate information may result in your case being delayed or possibly denied. The Board cannot grant a special exception simply because an applicant has requested it. The burden of proof rests upon you as the applicant to show that each of the required criteria are met. If you fail to support your request, the Board cannot approve your application.

### Required Application Items:

- !** Answer all questions which are stated on the reverse of this form on a separate sheet to outline your request.
- !** You must submit a Plot Plan drawn to scale on a minimum size paper of 8.5" x 11". The Plot Plan must include the following information:
  - !** Actual lot dimensions
  - !** Size and locations of existing and proposed structures and improvements, including fences, driveways and storage sheds.
  - !** Distances between all improvements and property lines.
  - !** Building elevations, floor plans and any other pertinent information, if applicable.
  - !** Property plat with aerial photographs (Sidwell maps) from the Salt Lake County Recorder's Office, 2001 South State Suite N1600, phone number 468-3391. Your property should be clearly marked in red.
  - !** A non-refundable application fee of \$220.00.
- !** Property address and legal description. A legal description can be obtained from the deed, tax notice, or County Recorder's Office.

Please remember that the information you submit will be the basis for review by the Board of Adjustment. Be as complete as possible. If you feel that additional information is needed (such as photographs, affidavits, or further written responses), please attach separate sheets. If you have any questions, please ask for assistance by calling (801) 568-6071, Sandy City Zoning Administration.

NOTE: It is required that each case up for hearing be presented and argued before the Board of Adjustment either by the petitioner or an authorized agent. If no one appears to argue your application, the Board may still hear the case and take action in your absence.

If for some reason you are unable to attend the meeting due to a personal emergency, you must call the Zoning Administration at (801) 568-6071 no later than 5:00 p.m. on the day of the hearing. If no arrangements are made, the Board of Adjustment will hear and decide your case with or without your presence.

### **The Following Questions Must Be Answered and Submitted with the Application**

**Applicant:** Please answer the following questions upon separate sheets of paper to the best of your knowledge. If you do not understand the questions or do not know the answer, please contact a member of the Sandy City Community Development Staff for assistance. **CITY EMPLOYEES CANNOT PROVIDE YOU WITH LEGAL ADVICE OR WITH A GUESTIMATE OF YOUR CHANCES OF SUCCEEDING.**

1. What type of special exception are you seeking?
2. I desire to obtain the special exception described above for the purpose of . . . .
3. Refer to the ordinance that specifically permits the special exception requested. Indicate how your request is compliant with each requirement. (Remember, the Board is prohibited from granting your request if each of the criteria can not be satisfied). A City Staff member can help you identify the required criteria for your specific special exception request.
4. A brief statement of any previous variances or other legal actions taken against or on the subject property, the nature of these actions and whether the action requested was granted or denied.
5. State any other details about this request which you want the Board to be aware of.
6. Attach a scaled plot plan indicating property lines, existing buildings, distances from buildings to property line, proposed building with distance to property lines and existing buildings.

### **Appealing a Board of Adjustment Decision**

Any appeal of the decision of the Board of Adjustment must be made within thirty [30] days to the appropriate District Court of the State of Utah. The proper forms and procedure for filing such an appeal may be obtained from the District Court or the attorney of your choice. Sandy City **DOES NOT** have this information and cannot assist you in any way with the filing of any appeal of a Board of Adjustment decision. Copies of the case file, including all evidence submitted will be made available to interested parties. You may make a copy of the audio tape of the proceedings at our offices located at 10000 Centennial Parkway, suite 210, Sandy, Utah.